

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

March 12, 2010
3:00 p.m. – 4:30 p.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Clerk Phil Urry

AOC STAFF PRESENT

Stewart Bruner, *ITD*
Karl Heckart, *ITD*

WELCOME AND MEETING PURPOSE

Justice Hurwitz reiterated the purpose of the meeting as catching up on the various e-court project efforts underway at the appellate level.

TURBOCOURT e-FILING PROGRESS

Karl Heckart updated members on items he has learned in recent conversations with Connecticut about the impact of mandating e-filing for attorneys there. He anticipates a “soft launch” of TurboCourt next month to several law firms in Maricopa County prior to announcing the timeline for mandatory general jurisdiction civil subsequent e-filing by attorneys in the county at the State Bar Convention in June. Work continues on case initiation with Pima Superior Court with a goal of testing in June. Work also continues on transitioning from Intresys’s PayPal to the state’s Bank of America for financial processing.

Clerk Rachelle Resnick described recent progress being made with the vendor on the TurboCourt appellate filing application. The timeline seems very tight to reach the goal of an August 1 implementation. She expressed the group’s difficulty with determining whether Division 2 is covered by the development effort or not. Justice Hurwitz reiterated his conversations with Division 2 and stated that no e-filing system anywhere in the state will compete with AZTurboCourt, as a matter of Supreme Court policy. A suggestion was made to add Division 2 into future appellate subteam governance meetings.

Members also discussed noticing of parties as well as interested members of the public through TurboCourt rather than through Appellamotion and Outlook. Stewart explained

the current thinking about requiring filers to declare that they are unable to accept electronic service to make other parties aware of the need to revert to paper service.

EXPANSION OF RECORD ON APPEAL TRANSFER

Chief Judge Timmer stated that the flow of records from Maricopa Superior is stuck at the current volume while an issue is addressed with making C2C work on a server rather than on individual workstations. Members were unable to determine the business issue that prevents records from being transmitted electronically rather than on paper by the end of the 40-day period. Karl will speak with Rich McHattie to obtain details. Judge Timmer stated that even though Maricopa represents the greatest case volume by far, Division One stands ready to receive electronic transfers of the record from rural counties since they have had the C2C program installed to comply with A.R.S. 12-283(J) for minute entry transfers.

DISCIPLINARY RECORDS TRANSFER

The group discussed whether changes being proposed in the attorney discipline rules would affect the automation being developed for appellate e-filing. Regardless of processing changes within the clerk's office, the State Bar and disciplined attorney would still file electronically using TurboCourt. A question was raised about whether the Industrial Commission could be instructed to file electronically even though they do not keep an electronic record today. Consensus was that the court cannot demand an electronic record but that digitization is worth discussing with them.

EXPANSION OF CRIMINAL E-FILING IN ACE

Rachelle reported that 75 percent of filers are already in ACE and the remaining 25 percent are small practice attorneys that would require a lot of court resources to implement and support. ACE will not expand any further before being replaced by TurboCourt.

OTHER ISSUES

There was discussion about methods of publicizing TurboCourt at the State Bar Convention in June. A booth has been secured and both Justice Hurwitz and Rachelle have been offered speaking opportunities to promote e-filing. Karl mentioned that the booth would be used to demonstrate TurboCourt and register attorneys in the system on the spot. Topics for speeches will be worked out as the date approaches. A follow-up communication should be sent to every Bar members' registered e-mail address.

A question was raised about how clerks would handle paper filings after the deadline for mandatory electronic filing and what the administrative order or rule would authorize. Members also brainstormed ways to obtain electronic filings from inmates that would both save the Dept. of Corrections money and greatly reduce the number of lawsuits filed against them.

A 60-day (or so) follow-up meeting will be called to track progress of all projects mentioned, unless the appellate TurboCourt development reaches an earlier milestone. Rachelle will provide the date for the end of development to Stewart.

Meeting adjourned at 4:10 p.m.